ARMY GROUND RISK-MANAGEMENT INFORMATION

Countermeasure

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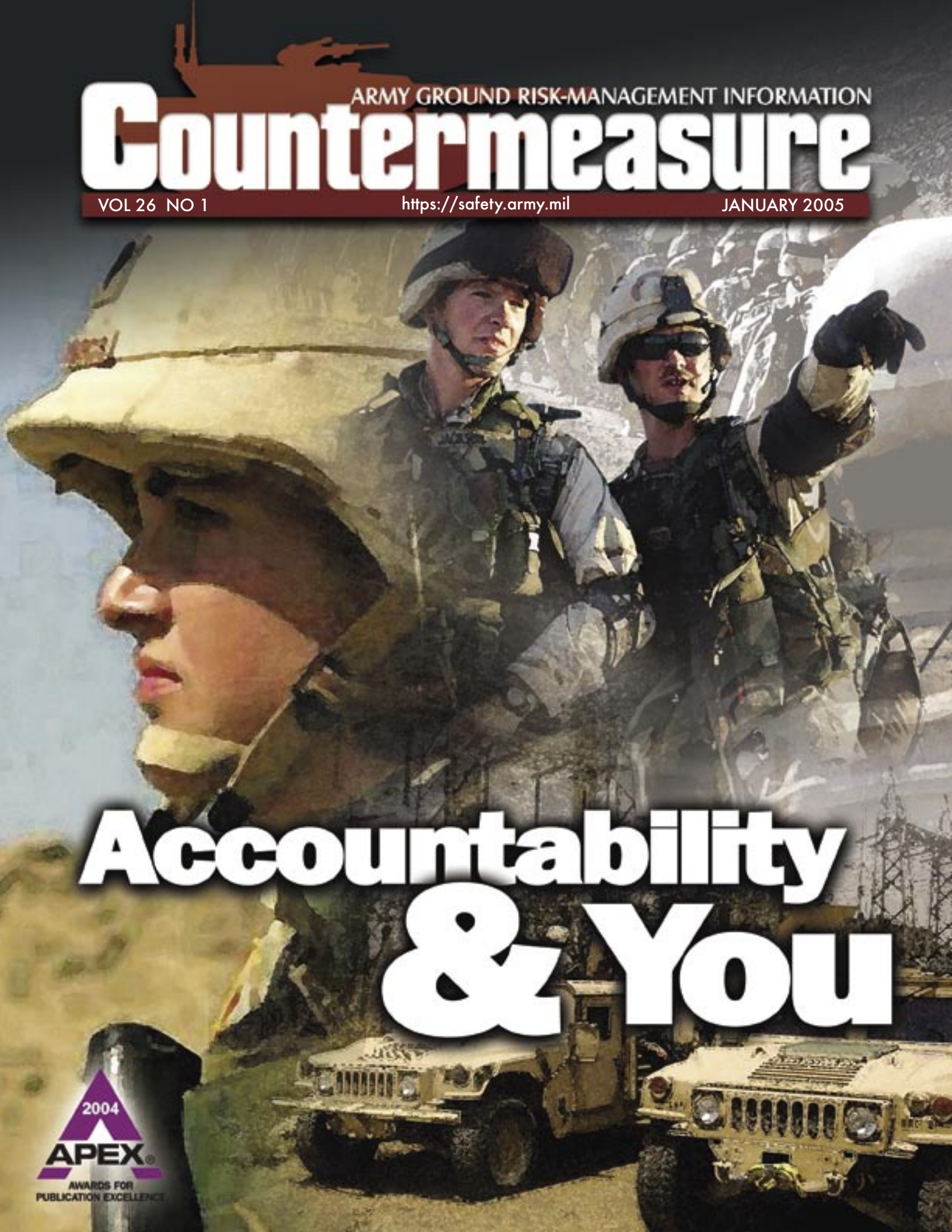

Accountability & You

2004 APEX® AWARDS FOR PUBLICATION EXCELLENCE

ARMY GROUND RISK-MANAGEMENT INFORMATION

Countermeasure

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Why Accountability This Month?

LTC CINDY GLEISBERG
Judge Advocate
U.S. Army Safety Center

Soldiers and civilians at all levels must be held accountable for their actions or inactions that lead to accidents. The Army regulatory and statutory structure offers commanders many tools for dealing with damage to Government property or personal injury. This month's *Countermeasure* highlights ways leaders can motivate their subordinates to be more careful through the application of adverse actions to reckless individuals.

The Army Safety Campaign requires that leaders consider accountability for their units' accidents and that those actions be publicized. The need for Army-wide dissemination was recently articulated by a battalion commander. After reading a string of e-mail messages about two units' actions—an adverse line of duty determination and financial liability under report of survey—the commander wrote:

"The problem is visibility. Here are two units with generally equal cause and effects. These units are far distant from one another, but who knew what was happening within them? The net results are the same. Soldiers will test you every chance they can. As the Soldier moves from one unit to the next, or in the case of the National Guard where we have people for years, the Soldiers will test the system to see what is acceptable. Unfortunately, for these units the 'disciplinary action' that

Why Accountability This Month?

perpetuated 'disciplined Soldiers' came after some significant event. Nonetheless, the end justified the means. These are programs we've had available to us for years, and I think they went by the wayside back when we started issuing time-out cards to basic trainees. When Soldiers don't abide by the rules, they must be held accountable.

"Here's the problem. Although these are Army-wide standards, commands tend to prevent 'disciplinary action' as a sign of taking care of our troops. Obviously, that ideology has gotten us nowhere. When you talk to other troops not directly involved in a situation, they generally expect disciplinary

RANK	CHARGES	ACCIDENT DESCRIPTION	RESULTS
SPC	Assault with a dangerous weapon, negligent discharge of a loaded firearm, and carrying a concealed weapon	Bullet from Soldier's gun struck acquaintance in the back and severed her spinal cord, causing permanent paralysis below her upper waist	Pending
SPC	Drunken and reckless operation of a vehicle and negligent homicide	Soldier struck a pedestrian Soldier with his vehicle during an early-morning road march	Guilty verdict and dishonorable discharge, confinement for 3 years, and total forfeiture of pay and allowances
SGT	Negligent homicide	Soldier was operating an armored vehicle that struck and killed two pedestrian girls	Not guilty verdict
SGT	Negligent homicide	Commander of armored vehicle that struck and killed two pedestrian girls	Not guilty verdict
SGT	Charges pending	Soldier was driving his POV when he ran a red light at an intersection and collided with another vehicle. The Soldier fled the accident scene. One occupant of the other vehicle was killed, and four were injured.	Pending
SPC	Involuntary manslaughter	Soldier lost control of his vehicle and a passenger was killed when the vehicle hit a tree. The Soldier's blood alcohol content was .21.	Soldier was found guilty of negligent homicide. Sentence included 30 months confinement, total forfeiture of pay and allowances, reduction to the rank of private, and a bad conduct discharge.
PVT	Driving under the influence	Soldier lost control of his vehicle, crashed, and broke his neck and back.	Guilty verdict and not in line of duty-due to own misconduct determination. The Soldier was required to pay all civilian and military hospital bills and was discharged from the Army.

action. We leaders lose more credibility by not exerting our authority than when we 'take care of the troops' because they will test you and take advantage of that generosity. We live, breathe, and die by discipline whether for combat, pecuniary, or safety reasons. For far too long we have witnessed events where Soldiers knew, but disregarded, the standards. Why? It's not because they don't know the standards or have some level of logic that leans toward self-preservation. Soldiers know the limits—otherwise, we wouldn't see them committing offenses out on the fringes of the standards. They are the 'counter-culture' who want to be seen as trendsetters or seek attention for their own egos. When the trends don't go in the correct direction, the hierarchy perceives the offenders are ignorant of the standards and we must provide more 'training.' On the contrary, I feel that Soldiers across the globe are not in touch with the consequences. How do we get out of this rut?

"Word-of-mouth is not working. Safety and accident statistics don't cut it, and training is just like every other time you sit the masses down. They automatically have an aversion to the idea of being gathered together and preached to about things they shouldn't do. The group influence takes on a life of its own and has a greater impact on individuals to not take the subject seriously. Since all these factors are common Army-wide, disciplinary action is not as prevalent or as visible to the individual Soldier because no one understands what action is taken from unit to unit.

"We leaders lose more credibility by not exerting our authority than when we 'take care of the troops' because they will test you and take advantage of that generosity."

"I feel there should be a section added to *Countermeasure* and *Flightfax*, similar to the accident briefs in the back, which highlights disciplinary action taken for various events. The word gets around when someone reads, 'Soldier was caught drinking and driving; the command did....' This won't have the same effect on Soldiers as their buddy dying or them being so close to an investigation they grow concerned they will be implicated. However, they will begin to understand the relative consequences and realize that we, as an Army, won't stand for their lack of discipline! Action=reaction—if I do X, then Y will happen.

"We have enough to do out here in the field. We don't need to research the UCMJ and put together another briefing for our troops. But if we give visibility to what disciplinary action is taken, then perhaps Soldiers will begin to realize this is not a local commander's or safety officer's philosophical beliefs. Rather, it's the Army's values and culture."

The Army Safety Center applauds this commander's frank and on-point comments. Although most of our Soldiers are disciplined and follow the standards, we must be firm and fair with the minority that break the rules. We want to add an accountability section to our magazines, but gathering the substance for such a section is difficult since no central Army repository exists. We want to know the actions taken against members of your unit after, or even before, an accident occurs. Speeding that doesn't kill is still speeding—it should be dealt with *before* some dies. Please contact us at **countermeasure@safetycenter.army.mil** or **flightfax@safetycenter.army.mil** to tell your stories, and remember that anonymous submissions are welcome. We look forward to hearing from you soon!

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Line of Duty Determinations: An Underused Tool

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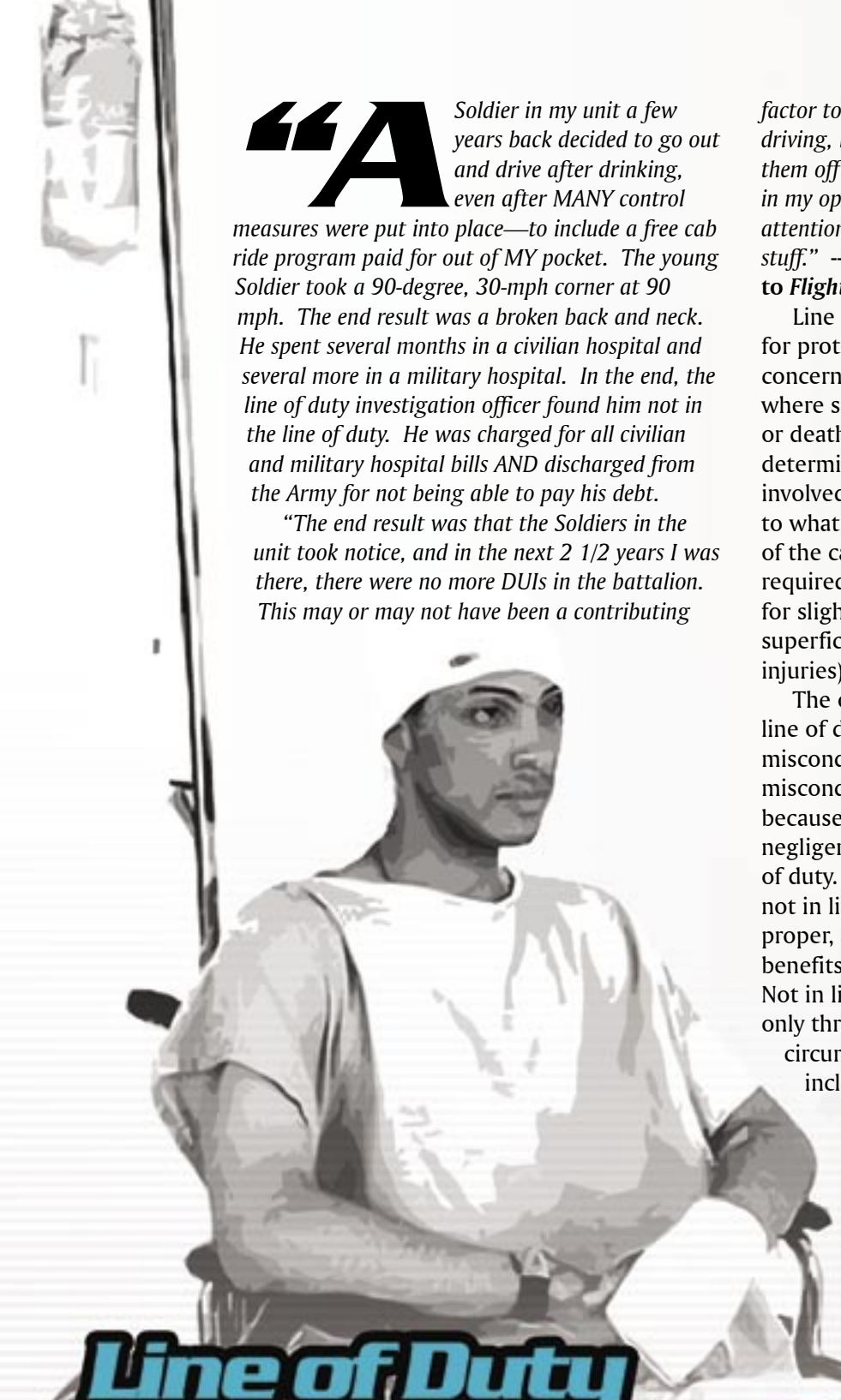
"A Soldier in my unit a few years back decided to go out and drive after drinking, even after MANY control measures were put into place—to include a free cab ride program paid for out of MY pocket. The young Soldier took a 90-degree, 30-mph corner at 90 mph. The end result was a broken back and neck. He spent several months in a civilian hospital and several more in a military hospital. In the end, the line of duty investigation officer found him not in the line of duty. He was charged for all civilian and military hospital bills AND discharged from the Army for not being able to pay his debt.

"The end result was that the Soldiers in the unit took notice, and in the next 2 1/2 years I was there, there were no more DUIs in the battalion. This may or may not have been a contributing factor to keeping the Soldiers from drinking and driving, but holding them accountable and not letting them off the hook for driving while tired and DUIs, in my opinion, goes a long way toward getting their attention and making them think about doing stupid stuff." **--Excerpt of an e-mail from a CW4 to *Flightfax***



Line of duty (LD) determinations are essential for protecting the interests of the individual concerned and the U.S. Government in situations where service is interrupted by injury, disease, or death. LD investigations are conducted to determine whether misconduct or negligence was involved in the disease, injury, or death and, if so, to what degree. Depending on the circumstances of the case, an investigation may or may not be required to make this determination. Except for slight injuries of no lasting significance (e.g., superficial lacerations, abrasions, or mild heat injuries), an LD investigation must be conducted.

The only possible LD determinations are: in line of duty; not in line of duty—not due to own misconduct; and not in line of duty—due to own misconduct. A person who becomes a casualty because of their intentional misconduct or willful negligence never can be determined as in line of duty. For most accidents a determination of not in line of duty—due to own misconduct is proper, and the Soldier stands to lose substantial benefits. Thus, the LD determination is critical. Not in line of duty determinations can be made only through a formal investigation. Some of the circumstances requiring a formal investigation include:

- Injury, disease, or medical condition that occurs under strange or doubtful circumstances or apparently is due to misconduct or willful negligence.
- Injury or death involving the use of alcohol or drugs.
- Death of a U.S. Army Reserve (USAR) or Army National Guard (ARNG) member while participating in authorized training or duty.

• Injury or death of a USAR or ARNG member while traveling to or from authorized training or duty.

• In connection with an appeal of an unfavorable finding of alcohol or drug abuse.

A formal investigation usually begins with completion of DA Form 2173 by the medical treatment facility. The form then is annotated by the unit commander as requiring a formal investigation. The appointing authority, on receipt of DA Form 2173, appoints an investigating officer (IO). The IO completes DD Form 261 and attaches appropriate statements and other documentation to support their findings, which are submitted to the General Court-Martial Convening Authority for approval.

Many commanders hesitate to complete the required LD investigation when a Soldier is severely injured. They often cite manpower constraints and "taking care of the Soldier" as their reasons—both baseless. There is no prohibition against using the same IO to conduct a report of survey or other investigation in conjunction with an LD investigation. When a Soldier wrecks his HMMWV and breaks his legs because he was driving too fast and not wearing his seatbelt, the same IO can find the driver not in line of duty and liable for repairs to the Government vehicle. This process conserves manpower, but also sends the message to others that "taking care of Soldiers" includes holding them accountable for their actions.

If a Soldier is found to be in line of duty, he may be entitled to Army disability retirement or separation compensation; Veterans' Administration (VA) compensation and hospitalization benefits; and incapacitation pay (USAR and ARNG). A Soldier found not in line of duty—not due to own misconduct or due to own misconduct loses many benefits, including:

• Disability retirement or separation compensation for active duty Soldiers.

• VA disability or hospitalization benefits if disabled after leaving active duty.

• Civil service preference.

• Incapacitation pay for USAR and ARNG members.

If the determination is due to own misconduct, the Soldier's service obligation is extended 1 day for each duty day lost, including hospital and recuperation time. Those lost days may be excluded from computations for pay and allowances, and the findings may result in loss of pay where disease (not injury) immediately follows intemperate use of alcohol and drugs. It is a common misconception that a not in line of duty determination will cause a Soldier to forfeit his Servicemen's Group Life Insurance (SGLI). This is not true—LD determinations have no impact on SGLI payments.

Commanders at all levels are urged to use this tool. As the opening e-mail states, Soldiers pay attention when someone is held accountable. None of our young Soldiers seem to think they could die in an accident. They do, however, believe their commander can ruin their day with administrative or UCMJ action. Take that action when necessary to curb their unsafe behavior.

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In line of duty determination circumstances requiring a formal investigation include:

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Reports of Su

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"My unit had a rash of AMV accidents. Laziness and just not giving a crap about the standards were the common factors. Two of the unit's company commanders soon had enough and charged the responsible Soldiers $1,800 total for the next two mishaps. Guess what? It sent a ripple through the battalion that I personally heard people grumbling about, but we haven't had a similar mishap since. I applaud those two commanders because they had what it took to hold the Soldiers accountable for their actions."—**A senior warrant officer regarding accountability**

When Government items under your control are lost, damaged, or stolen, you may be held financially liable for them. The report of survey (ROS) is the Army's administrative tool used to establish financial liability. Under Army Regulation (AR) 735-5, financial liability ordinarily will not exceed 1 month's base pay. In certain situations, however, such as the loss of personal arms or equipment or damage to Government quarters, liability may equal the full amount of loss. The following are some recent examples of ROS findings:

- Two NCOs failed to properly supervise HMMWV drivers' training and encouraged radical behavior such as donut turns in the sand and jumping over dirt mounds. One HMMWV suffered substantial damage, and the two supervisors were charged for the repairs.
- An Army civilian was backing a passenger van from a parking space when he struck a parked tractor-trailer behind him. The civilian was held liable for $1,385.84 in repairs, even though he insisted he did all he could do to avoid the accident. The survey officer found the civilian was negligent because he had good visibility of the parked trailer and had to cross a two-lane road to hit it.
- An Army civilian backed a Government vehicle into a concrete barrier at a fueling station. Based on the ROS, the civilian was held liable for $311 in repairs.

Every situation involving loss or damage doesn't warrant

f survey

LTC CINDY GLEISBERG
Judge Advocate
U.S. Army Safety Center

an ROS. If the damage or loss is less than 1 month's base pay, the responsible party can sign a DD Form 362—essentially an acknowledgment of liability and agreement to pay. An ROS must be performed in situations where responsibility or the amount of liability is in question.

An ROS begins when a survey officer is appointed to investigate the facts and make initial findings. A copy of the initial findings is given to the individual so they can prepare and submit their rebuttal within 7 days. The survey officer then makes recommendations regarding liability and loss amount. To issue a finding of liability, the survey officer must show the person being held liable had a duty or responsibility to care for the property but acted negligently, causing financial loss.

Recommendations then are submitted to the appointing authority for review and comment before being forwarded to the approving authority. The approving authority, generally a colonel or above, approves or disapproves the recommendations. Before making a final decision, the approving authority receives a legal opinion stating the findings are legally sufficient and the survey was completed in accordance with AR 735-5.

The individual has 30 days to request a reconsideration of the approving authority's decision. If the approving authority affirms their decision, they will forward the request to the appeal authority. The appeal authority, usually a general officer, is the final step in the chain of command. The appeal authority will examine all facts and recommendations before making a final decision.

If you are responsible for Government property or equipment, treat it as your own—but remember you don't have insurance to cover your mistakes. If you are a leader, hold those that operate or use the equipment responsible for the damage they cause through negligence. The ROS often is used for lost, but rarely for damaged, property. However, you can change unsafe behavior by using the ROS to its full potential.

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A Soldier's

Opposing Force (OPFOR) Soldiers at the Joint Readiness Training Center (JRTC) in Fort Polk, LA, are some of the best trained and most respected troops in the armed forces. Confident and skilled, they consider themselves invincible in combat. One cold, rainy night, however, the OPFOR found they are not invincible, even at home, when they lost one of their own in a preventable accident.

Earlier that day, two OPFOR Soldiers in a scout platoon erected an 11-row, double-strand concertina wire barrier across a road. One of the Soldiers had an OPFOR motorcycle—the Army 23AH08, a one-person bike designated for off-road use only. The motorcycle's off-road tires were not designed for travel on asphalt or other hard road surfaces because of their decreased traction and increased braking distance. Despite these restrictions, the Soldier, a staff sergeant, offered the other Soldier, a specialist, a quick joyride before they reported to the unit for the night. Neither Soldier was wearing a helmet.

The two Soldiers got on the motorcycle and headed in the darkness toward the obstacle on the slick, wet asphalt road. The driver, who reportedly was driving faster than the nighttime speed limit of 10 mph, lost control of the bike about 100 feet from the obstacle. The motorcycle crashed into the obstacle so forcefully that it bent an 8-foot metal engineer picket at a right angle and ripped most of the others from the ground. The specialist was thrown from the bike into the concertina wire and hit his head on the asphalt, fracturing his skull.

Soldiers in the area heard the motorcycle's loud revving just before the accident and tried to warn the driver about the obstacle, but they were too late. When the Soldiers arrived at the scene, they started cutting the concertina wire and administered first aid. The driver never lost consciousness, but the specialist did immediately. Moments later, he regained consciousness and was deceptively coherent and responsive. An individual with a serious head injury can appear uninjured for a short time before their brain starts to swell. Once the specialist's brain started swelling, however, he lost consciousness again and never regained it.

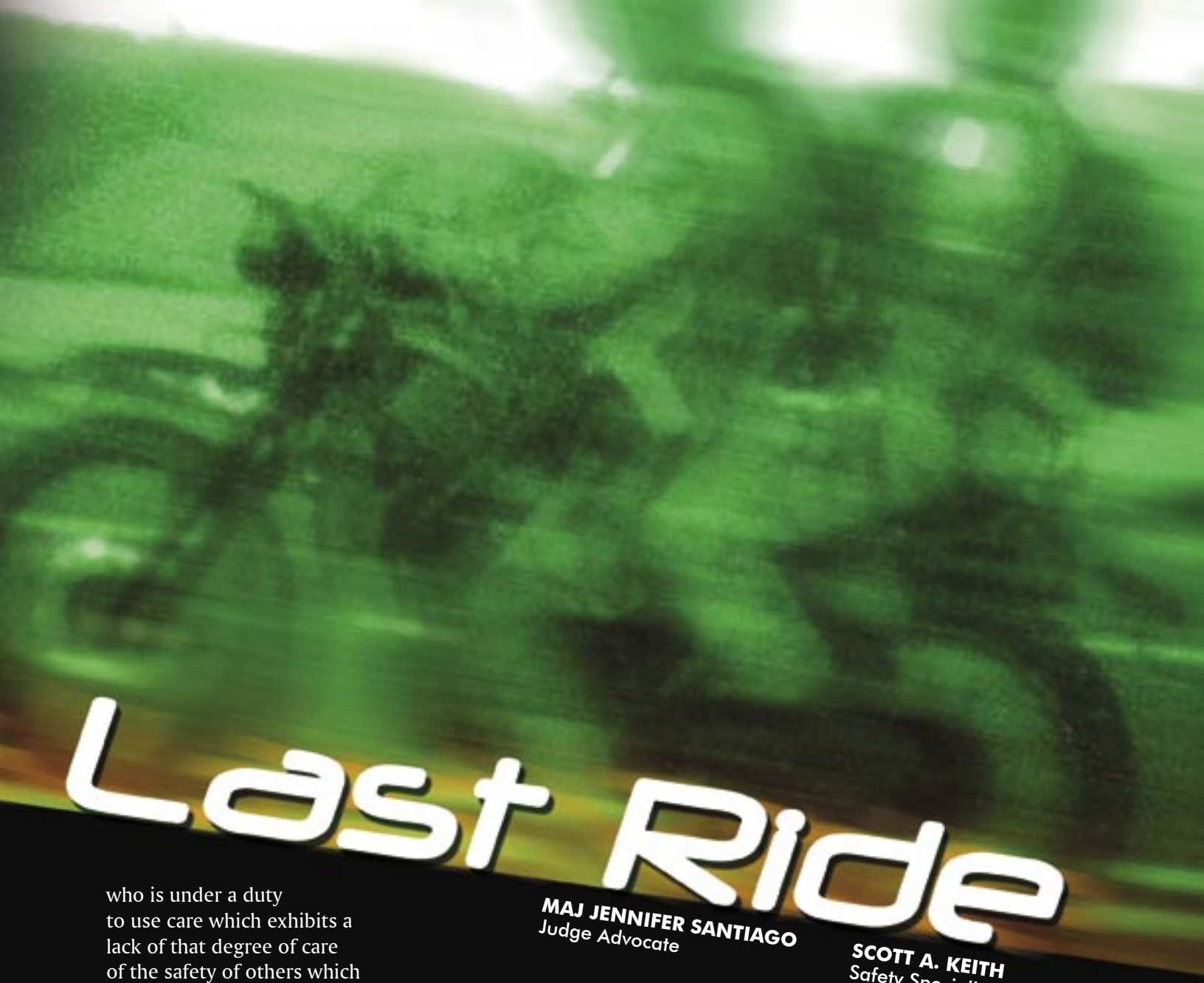
Emergency personnel arrived within 15 minutes and transported both Soldiers to the local emergency room. The driver was treated and released, but the specialist was evacuated to another hospital. He died later that night.

There were three important factors these two highly trained Soldiers failed to consider. First, the motorcycle was designed to carry only a driver. The specialist's additional weight exceeded the motorcycle's weight capacity and significantly decreased its controllability.

The second factor the Soldiers should have considered is perhaps the most important. Neither Soldier was wearing a helmet, even though helmet use is a strict requirement at JRTC and is mandated by standing operating procedures and Army regulations. When used properly, helmets greatly decrease the risk of head injury, even in serious accidents. The National Highway Traffic Safety Administration reported in March 2003 that over a 10-year period, helmets saved more than 7,800 lives and could have prevented 11,915 deaths.

The Soldiers also did not consider the third factor, the environment. Rain had fallen sporadically that cold day and into the night, leaving the asphalt road slick. The weather, speed, and darkness, combined with the passenger's extra weight, caused the driver to lose control.

These type situations may be punishable under the Uniform Code of Military Justice, Article 134, for negligent homicide if the defendant's actions or failure to take action amount to simple negligence. The explanation section for negligent homicide states, "[s]imple negligence is the absence of due care, that is, an act or omission of a person



Last Ride

MAJ JENNIFER SANTIAGO
Judge Advocate

SCOTT A. KEITH
Safety Specialist

who is under a duty to use care which exhibits a lack of that degree of care of the safety of others which a reasonably careful person would have exercised under the same or similar conditions." A conviction of negligent homicide carries a maximum penalty of dishonorable discharge, forfeiture of all pay and allowances, and confinement for 3 years.

A Soldier can be charged with a violation of Article 119 for involuntary manslaughter if evidence shows the conduct causing the death constitutes culpable negligence. The explanation section for involuntary manslaughter states, "[c]ulpable negligence is a degree of carelessness greater than simple negligence. It is a negligent act or omission accompanied by a culpable disregard for the foreseeable consequences to others of that act or omission." The offense carries a maximum penalty of dishonorable discharge, forfeiture of all pay and allowances, and confinement for 10 years.

A fine Soldier lost his life that night because he and his leader used poor judgment. If either Soldier had paid attention to the significant risks and probable consequences of their actions, that young specialist likely would be alive today.

Comments regarding this article may be directed to LTC Cindy Gleisberg, U.S. Army Safety Center Judge Advocate, at (334) 255-2924, DSN 558-2924, or by e-mail at cynthia.gleisberg@safetycenter.army.mil.

Thus far, this issue of Countermeasure has focused on the legal aspects of Soldier accountability. The following two stories illustrate real-world situations where disciplinary action wasn't necessary because the Soldiers involved learned from their mistakes and stopped their negligent behavior. If you have a similar story you would like to share with other readers, please e-mail countermeasure@safetycenter.army.mil. Anonymous submissions are welcome.

a Little Luck an

Initiative vs. Procedures

Several years ago, a Soldier was assigned to the land combat support system (LCSS) section within his unit's division support command. His section repaired antitank missile test equipment, a job that required an alternate power source provided by a 60 kW generator. The generator required a daily preventive maintenance checks and services (PMCS) in accordance with its technical manual.

One morning during the before-operation PMCS, the Soldier noticed excessive corrosion on the generator's left-side battery positive terminal. He tried to find a mechanic from the motor pool to fix the problem, but they all were busy doing other things. Instead of waiting for a mechanic, the Soldier used initiative and decided to remove the terminal, which was adjacent to the generator's mainframe. It wasn't long before the Soldier's wrench arced against the frame, providing a ground path to the start switch. The wire connecting the start switch to the positive terminal immediately began burning toward the switch, located about 3 feet from the battery.

The equipment suffered minimal damage, but the Soldier came very close to receiving a permanent career setback. The motor pool's NCOIC recommended that the company commander take UCMJ action against the Soldier to cover the repair costs. The Soldier got a lucky break when the unit's technical warrant officer rewired the generator and returned it to fully mission capable status.

The Soldier learned a valuable lesson that day that he's shared many times over the years. Initiative is a great thing, but not following procedures can jeopardize important things like your career or even your life. Follow the standards and protect yourself and your buddies.

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Hot HMMWVs

I left post after work one afternoon and got on the highway to head home. The speed limit was 65 mph, but I set my cruise control on 72

d a Little Learn

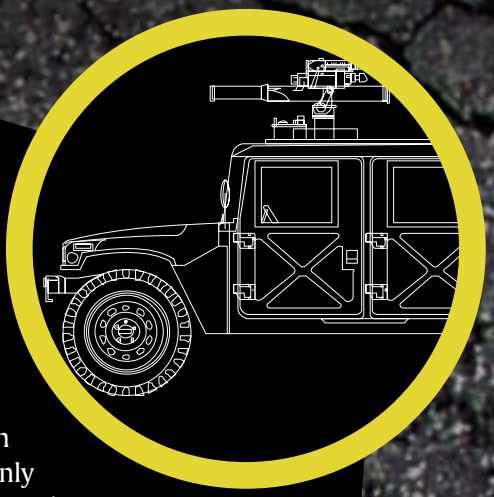
to keep up with the traffic flow. About a quarter-mile ahead, I noticed two HMMWVs traveling together. I passed them both, but I couldn't help but notice how fast they were going. I guessed my speed was only 3 to 5 mph faster than theirs.

About 5 minutes later, both HMMWVs passed me. I hadn't changed my cruise control since I got on the highway, and I estimated their speed to be between 75 and 80 mph. Although surprised at first, I became concerned a few minutes later. I remembered my early days in the Army, when I was training to drive the HMMWV. I recalled the tire ratings and the catastrophic failure that could happen if their maximum rated speed was exceeded.

The HMMWVs were a few car lengths ahead of me now. I caught up to them and flagged down the lead to follow me. We pulled into a convenience store parking lot, where I found a sergeant in charge of the trucks.

After getting his military license, I asked the sergeant about their mission, and he replied they were returning their vehicles for the weekend. I then asked the sergeant what speed his tires were rated for and got "I don't know" in reply. I told him the tires were rated to only 55 mph and asked him why he was doing 75 mph. He claimed to be going only 62 or 63 mph, but I explained to him that my cruise was set at 72 and they passed me.

I was determined to educate this Soldier on his vehicle's limits and inform him of the danger to himself and his troops. What is the emergency procedure for a blown tire at 75 mph anyway? I explained to him I wasn't interested in busting his rank or calling his commander, but he was accountable for what happened in those HMMWVs. I only wanted to prevent a tragic accident that could take the lives of his Soldiers and maybe civilians on the highway.



The sergeant and I looked through his operator's manual, where I found the passage stating the vehicle's 55-mph rating. Even the Soldier's stated speed of 62 or 63 mph was too fast. Not only are HMMWV tires unable to withstand excessive speed, but the transmission as well. So, even if an accident never happened, the possibility of extensive equipment damage was very real. We briefly discussed the situation, and I turned them loose.

In the end I justified my point—75 mph or 62 mph, they were still going too fast. Did I save lives and equipment, or just ruin a sergeant's day? Maybe I ruined that sergeant's day, but I bet he got over it. The effect of just one of his Soldiers dying in a preventable accident would last his lifetime. Take responsibility when you're entrusted with Army equipment and your Soldiers' safety. The consequences are too great to let rushing to get home a couple of minutes early keep you from getting there.

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We are an Army at war that is also transforming. Amid these significant activities we are challenged to preserve and protect our combat power. Using traditional risk management methods, we have made some progress toward this goal, yet much improvement remains. We need a breakthrough approach that will maximize our combat readiness.

hat It's About

posite Risk Management

DR. BRUCE JAEGER
Technical Advisor
U.S. Army Safety Center

More effective risk management requires a cultural change. We must move beyond compartmentalized thinking that stresses the "big operation" and main movements. We must recognize that tactical or accidental, in the center or on the perimeter, bad results are the same: Dead is dead, and every loss decreases combat power. This is the notion of composite risk management, and it is at the heart of a cultural change.

Composite risk blends tactical, threat-based risks with accidental, hazard-based risks to create a more thorough evaluation of danger, thus enabling highly effective risk mitigation. Summarized from the standpoint of the Soldier, composite risk asks, "What's going to kill me and my buddies?" This simple, results-oriented view depicts a transformed mindset that realizes the enemy and tactical operations are not the sole concern, but there is also potential for fatal mishaps due to the environment, systems issues, and human error. Composite risk management, then, combines such sources into a holistic assessment of exposure (Figure 1).

How important is it to view tactical and accidental risks together? Consider that for FY03 and FY04, the Army suffered 1,155 fatalities, with 46 percent (530) due to accidents. Historically, the data are even worse: During all conflicts since the Spanish-American War, about 55 percent of Army deaths were due to accidents. Hence, losses from mishaps have degraded combat power on par with losses from enemy action. Statistically, we clearly see the whole problem and can acknowledge the need for composite risk management. Yet many Soldiers still suffer from tunnel vision, focusing on one source of risk and discounting others. The recent true story below illustrates the point.

Company-level leaders were planning a convoy operation in Iraq. Their primary decision revolved around which route to take, and their main data gathering consisted of color-coded route alternatives that assessed the enemy threats. With a quick analysis, they chose a "green" route for the mission—that is, one with no enemy threat. Having mitigated the tactical, threat-based risk they gave only cursory

Figure 1. Composite Risk Management

planning to the hazard-based risks that also were embedded in the mission:

- The green route's distance vs. distances for unchosen routes
- Road width, bridges and bridge width, climbs and descents
- Road condition, type of shoulder, drop-offs or embankments
- Sharp curves, intersections, limited sight areas, surrounding terrain
- Traffic, speed, following distances
- Fatigue and rest stops, checkpoints, communications
- Number of vehicles, types of vehicles, loading, handling characteristics
- Drivers' skill levels, crew pairing
- PPE (vests, helmets, seatbelts)
- Emergency procedures and breakdowns

To be sure, no one wants to be killed by the enemy. However, it is noteworthy that each of the factors above was also responsible for FY04 fatalities in theater, but these hazards did not seem to faze the junior leaders. The mission, the enemy—HOOAH! Let's saddle up and charge! This is a narrow and often fatal view.

Composite risk management supplements the focus on the main operation with consideration of other hazards to give a complete picture of exposure. There is no separation of tactical or accidental, deployed or garrison, on duty or off duty—it is risk management 24/7, because Soldiers are vital Army assets whether engaging the enemy, recocking back home, or on block leave. This holistic view says, "Based off everything we know, what hazards will we face and how can we mitigate the risk?" (Figure 2) The enemy, materiel, the environment, and human factors—during a mission or outside of it—interact to pose composite risk to the Soldier.

Composite risk management does not paralyze through fear of all that can go wrong; it does not foster risk aversion. Rather, by mitigating the known hazards to acceptable levels, the approach emboldens Soldiers to act confidently. Composite risk management does not guarantee no harm will come, but it lessens the probability significantly. Such knowledge bolsters courage and increases unit effectiveness.

And what of safety? Up to this point no mention has been made of the term, on purpose. As part of the cultural change, the concept of composite risk management includes safety but supersedes the term and transcends the practice. In many circles, safety is seen as a hindrance to mission accomplishment, a litany of "can'ts" and caveats. Others, particularly young Soldiers, scoff at the term "safety" because it does not relate well to why they joined the Army. Safety has become a four-letter word and is shackled by a negative connotation. On the other hand, composite risk management deals with preserving combat readiness and protecting combat power. The approach says that we value our people, so we control risk wherever and whenever it exists to keep our Soldiers in the fight. We teach our Soldiers what they CAN do to stay ready, willing, and able. Composite risk management, therefore, is more comprehensive and positive.

The notion of composite risk management is much easier to grasp than it is to execute. Indeed, the real cultural change occurs not by espousing the new idea but by practicing it. To that end, we must overcome several

obstacles if we are to transition successfully to this new approach.

There is currently a general bias toward tactical, threat-based risk management. This stems in part from the natural tendency to be more concerned over things that are deemed to be largely out of one's control (like the enemy) as compared to things supposedly in one's control (like driving, piloting, or cleaning a weapon). Part of the cultural change, then, means conveying that human error is real, it is powerful, and no one is immune. Your own mistakes or those of others can be deadly. Soldiers must know it, believe it, and feel it.

Related to the tactical bias is the tendency to focus on the big operation and limit risk management to the main effort. Traditionally left unattended are activities in the periphery, to include mundane missions, transiting between locations, and off-duty activity. The latter is especially elusive to supervisors, because the prevailing opinion of leaders toward Soldiers is, "What you do on your own time isn't my concern. Besides, I can't control your off-duty behavior, nor do I have the authority to do so even if I wanted to." This hands-off attitude by leaders has proved to be deadly, as the majority of fatalities away from theater have occurred in off-duty situations. In contrast, the transformed leader thinks, "My Soldiers are assets for combat power 24/7. If I lose one Soldier on duty or off duty, the result is the same—the unit suffers. It's my responsibility to know my Soldiers and manage risk." This type of leader knows who drives what, who is mature and who is undisciplined, who is experienced and who is a novice, personalities, hobbies, hot buttons, and more. He then uses such knowledge to mitigate accidental risks (especially those off duty) as solidly as he manages tactical risks. This is not intrusive, but involved; it is not big brother, but band of brothers.

Sadly, we know leaders traditionally have left many accidental hazards unchecked, and the results have been tragic. Before us lies the challenge to develop fully engaged leaders who understand that it is a basic responsibility to their Soldiers, unit, and Army to preserve combat readiness and protect combat power by managing composite risk. Before us also is the need to develop an understanding in Soldiers that their life matters to others, and the enemy is not the only threat to it. Such is the stuff of cultural change.

Composite risk management holds great promise for dramatically reducing our losses, because the approach brings accidental hazards to the forefront and compels leaders to deal with them as seriously as they do tactical issues. It is a results-oriented approach that values our troops around the clock, around the world.

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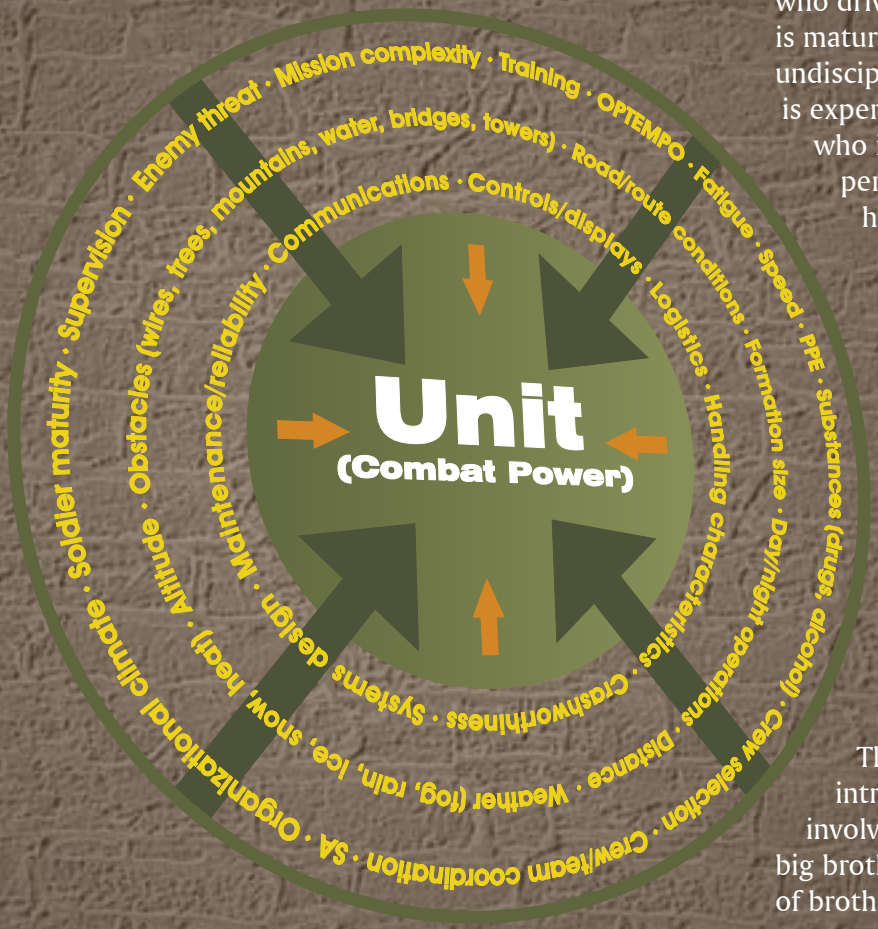
Figure 2. Composite Risk



Briefbacks enable commanders and NCOs to verify that their subordinates understand their intent. Failure to perform a briefback can cause a misunderstanding of intent, ultimately leading to inappropriately planned missions.

execute COA Any Quest

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The platoon had only one more objective after 2 weeks of combat operations, but there was a problem. One of their vehicles was disabled, and they could no longer tow it using organic assets. The platoon leader and platoon sergeant developed three courses of action (COAs). Each COA allowed the platoon to transport the disabled vehicle to a wrecker link-up point and prepare for their final operations in sector.

The COAs were briefed to the company commander over the radio, and the platoon leader was instructed to execute COA 1. He and the platoon sergeant task organized the platoon into two elements to complete the mission. No briefback was offered by the platoon leader, nor did the company commander require one.

Tragically, an unplanned route change and an ambush on the platoon's elements resulted in the fratricide deaths of one U.S. Soldier and one host nation soldier. After reviewing the platoon leader's plan, it was evident he had not acted in accordance with his commander's intent. Had an effective briefback been completed before the mission, the commander probably would have recognized the differences between his intent and the platoon leader's plan.

The company commander's and platoon leader's failure to perform a briefback was not the only factor that led to this accident, but greatly contributed to it. We must ask two important questions here: Why do experienced leaders choose not to perform briefbacks? Why must briefbacks never be omitted from the mission planning process?

I'm confident you understand my intent... I don't need a briefback.

As time goes by, commanders and subordinate leaders develop confidence in each other. Commanders have to be confident that subordinate leaders will execute missions to standard. After working together in combat, confidence is enhanced as mission success rates climb and casualties are kept low.

At a certain point this "steady state" confidence might give way to overconfidence. In many cases this overconfidence is revealed by lapses in equipment maintenance or a period of mild indiscipline. At its worst, overconfidence will contribute to accidents similar to the one discussed in this article's opening paragraphs.

In that accident, the platoon leader did not verify his commander's intent using a briefback because both he and the commander had become overconfident in each other's planning abilities. This overconfidence allowed the company commander and platoon leader to conclude they both fully understood the other's concept of the operation. As a result, the platoon was split into two independent, moving elements and encountered unanticipated heavy enemy contact.

Commanders must recognize the signs of overconfidence. In most cases the symptoms are discreet and not easily recognizable. Commanders, NCOs, and junior leaders must rely on outside

observers, "old timers," and senior leaders to help them recognize the signs. Once recognized, increased command emphasis on discipline, standards, and internal improvements can quickly return a unit to steady state confidence.

Are briefbacks required?

Briefbacks are required in accordance with Field Manuals (FMs) 7-8 and 100-14, paragraph 2-10-h3 of FM 7-10, and Ranger Handbook SH 21-76. Not performing an effective briefback can cause subordinates to act contrary to their commander's intent. Therefore, effective briefbacks are an important part of the risk management process. They allow leaders to review a mission's known risks and also reveal unanticipated risks, giving leaders an opportunity to develop control measures. Simply put, leaders must always offer their commanders a briefback, and commanders must always require one.

Lessons learned and conclusions

Briefbacks are critical in ensuring leaders and subordinates have a clear understanding of intent and the actions required to turn that intent into an operational plan. Effective briefbacks reveal miscommunication and misunderstanding before Soldiers find themselves in contact with enemy forces. Briefbacks offer clear understanding of the commander's intent and allow subordinates the flexibility to make the right decision when the situation changes and there is not time to get the commander's approval.

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I recently spent 18 months supervising small-arms ranges in support of the current mobilization with about 20 other Army retirees. Our experience indicated that range safety is directly related to the quality of unit firing-line safeties.

The Importance of Fir

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We observed active duty, Reserve, and National Guard units. One commonality among them was that they often paid little attention to the qualifications of their firing-line safeties. Instead the primary consideration was, "Who is available right now?" Most unit leadership understood that firing-line safeties must be a specialist or higher rank; however, few leaders took time to brief them on their specific firing-line responsibilities. Seldom was anyone designated to supervise firing-line safeties, although range safety officers and officers in charge are designated by Army Regulation 385-63.

This problem was illustrated on an M16 range. During a 10-day span, three Soldiers left the firing line with a chambered round in their rifles. These Soldiers walked across the range complex to a classroom, totally unaware of the chambered rounds. Fortunately, an alert unit leader or range safety officer spotted the problem and immediately cleared the weapon in each instance. Three serious accidents with tragic consequences could have occurred had the chambered rounds not been discovered.

All unit leaders, range officers in charge, and range safety officers must be aware of this systemic problem. It is their responsibility to brief firing-line safeties before they assume their duties and supervise them during the range exercise. Also, range standing operating procedures should include a specific briefing for firing-line safeties. The unit officers in charge or non-commissioned officers in charge should give this brief, to include the following topics:

- Firing-line safeties must know the exact firing positions for which they are responsible. A good ratio, or span of control, is one safety per two or three shooters.
- Firing-line safeties must be aware of any inexperienced shooters on the line. Inexperienced shooters raise the probability

ring-line Safeties

of an accident and must be supervised accordingly.

• All means of communication—paddles, arm signals, and verbal commands—must be understood clearly. Handheld radios also may be necessary for communication.

• All firing-line safeties must loudly and clearly repeat the tower's firing commands. This process helps each shooter keep their focus downrange. Firing-line safeties must ensure each shooter stays within the firing commands and that their weapon is pointed up and downrange.

• Firing-line safeties must keep their focus on the firing line and intervene immediately when a shooter has a problem. During M16 qualification, Soldiers must keep their weapons operational; however, an inexperienced shooter attempting to clear a weapon represents an immediate hazard.

• Firing-line safeties must rod each weapon as the shooter enters and exits the firing line. According to Army Regulation 385-63, the range safety officer is responsible for ensuring all weapons are clear before and after the range exercise.

• Firing-line safeties should be qualified on the weapon(s) they are supervising.

Being a firing-line safety is one of the most important jobs in the Army today. The loss of a Soldier on the range at home is just as devastating as a combat loss in theater. Show these Soldiers what right looks like and give them the skills to make it home from the fight.

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Additional Duty Safety Course Online Now!

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The Additional Duty Safety Course (ADSC) is a Web-based, distance learning course designed to provide additional duty safety personnel with the core curriculum needed to accomplish their designated duties. Until recently no standard training for these personnel existed—only a hodgepodge of programs ranging from a couple of hours to 1 week in length. The ADSC was structured to become the Army standard for teaching core safety subjects needed at unit through brigade levels.

Initial prototype testing of the course was completed on 22 and 23 November 2004 at Fort Rucker, AL, with about 45 volunteers. Four primary user groups were included: safety professionals, additional duty safety personnel, joint service safety representatives, and Army Safety Center personnel. User groups were separated in three classrooms, and contractor technical personnel were on site to address operational issues with courseware and presentation concepts. Training personnel from the Safety Center provided classroom oversight, content review, and data collection (to include written and group discussion comments) and analysis.

Participants said the course contains accurate and pertinent content that met their expectations. Post-review group comments confirmed that the course met 100 percent of its goals for key takeaway messages. Feedback supported that the course is highly effective, clearly organized, and well received by the targeted viewing audience.

The remaining efforts to complete the course will focus on the technical aspects of the ADSC and restructuring the exam based on user feedback. The technical contractor took the comments and immediately began incorporating recommended changes and corrections. The exam was reformatted to provide clarity and effectiveness and optimize user performance.

Released on schedule in early January 2005, the ADSC will provide user-validated information, tools, and resources for additional duty safety personnel Army-wide. Since it was well received in an incomplete state, the ADSC is anticipated to exceed expectations as a final product. For more information on the ADSC or to register for the course, visit the Safety Center Web site at **https://safety.army.mil**. We look forward to helping you through this course and all our other tools!

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ACCIDENT BRIEFS

Information based on preliminary reports of ground accidents.

ACV

Class A (Damage)

■ M1 tank was destroyed by fire. The tank was disabled and was being towed by another M1 when it caught fire. The cause was not reported.

Class B

■ Six Soldiers were injured when their Stryker fell over the edge of a cliff. The Soldiers were conducting combat operations at night and had left the roadway to conduct a mission. The injuries included cuts and lacerations, four concussions, and a fractured spine.

AMV

Class A

■ Soldier died when she lost control of the Government-owned sport utility vehicle she was driving on an interstate. The Soldier overcorrected the vehicle, causing it to flip several times across all lanes of traffic. No other details, including seatbelt use, were reported.

■ Two Soldiers were killed when their M915A3 went over an embankment and caught fire during early morning convoy operations. The driver was killed instantly; the second Soldier died more than a month later from burns suffered in the accident.

■ Two Soldiers suffered fatal injuries when their M915A3 ran off the roadway and overturned during convoy operations. Both Soldiers were ejected from the vehicle.

■ One Solider was killed and 24 were injured when the M35A3 FMTV they were riding in ran off the roadway and overturned. The vehicle's driver, who was injured, failed to negotiate a curve, causing the accident.

■ Soldier suffered fatal injuries after his M931 fuel truck overturned during convoy operations. The Soldier was attempting to negotiate a pontoon bridge crossing when the vehicle rolled.

■ Soldier died after the M915A2 he was driving ran off a 10-foot embankment and overturned. The accident occurred during the early morning hours on a dirt road while the truck was towing an M1062 trailer.

Personnel Injury

Class A

■ Soldier died after collapsing during the run portion of the APFT. The Soldier reportedly began to slow down before he collapsed. The Soldier was taken to the nearby fire department and then transported to the local hospital, where he died.

■ One Soldier was killed and two others were injured when the AB 216/U Signal Tower they were disassembling collapsed. The three Soldiers fell from the tower as it collapsed.

■ Soldier collapsed and died after leading a 6-mile physical training run. The Soldier reportedly collapsed after sprinting about 100 yards. The cause of death was listed as elevated core body temperature injuries (heat exhaustion).

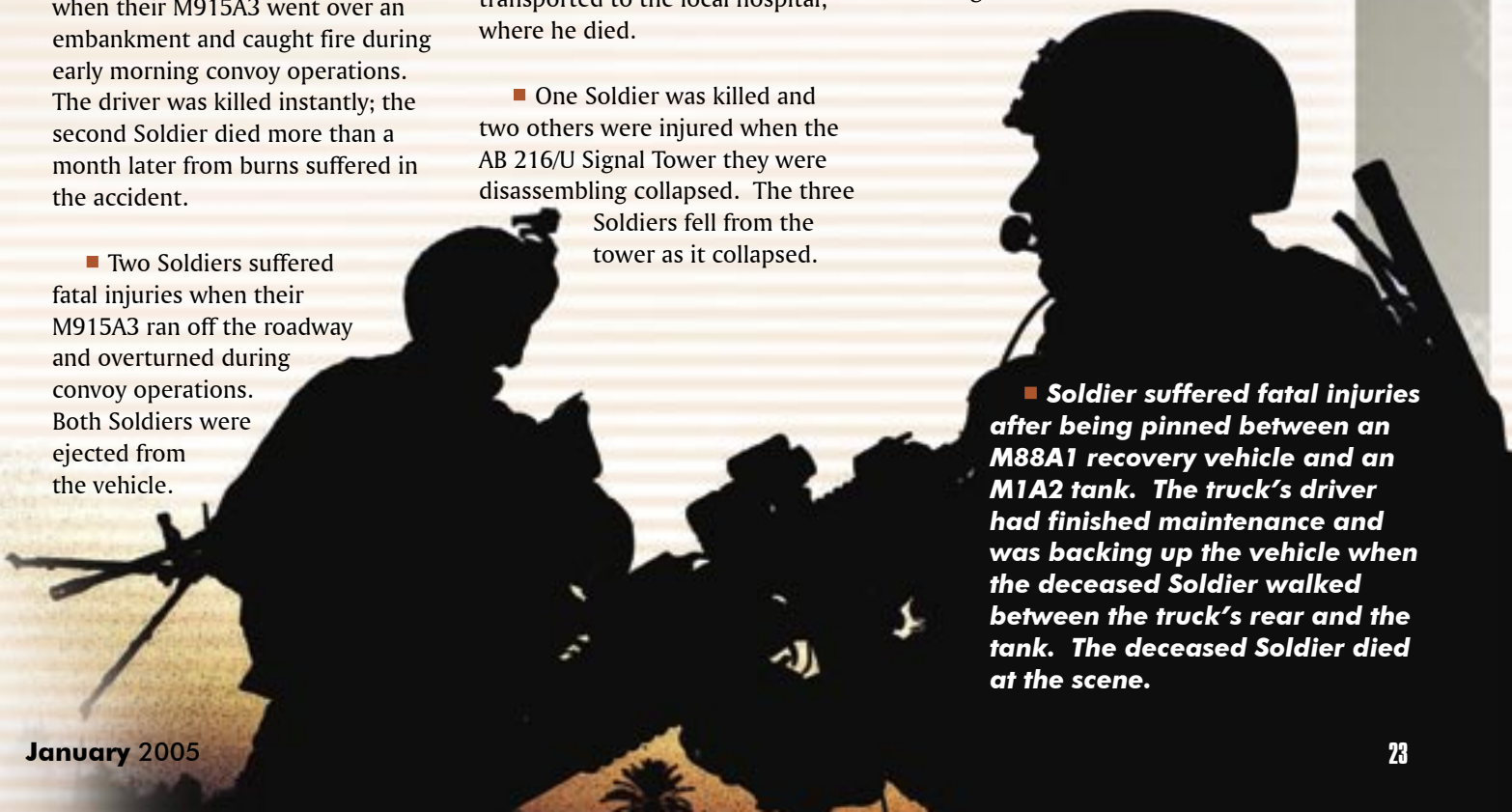
■ Soldier died at a local medical facility after collapsing during the APFT. No other details were reported.

■ Soldier collapsed during the cool-down period following physical training. CPR was performed on the Soldier, but he later died at a local hospital.

Class B

■ Soldier's hand was amputated by a 120 mm mortar round. The Solider was firing the round from an M113 mount launcher system and moved his hand into the round's path as it fired.

■ Soldier's finger was amputated by an M60 round. The Soldier was attempting to clear the weapon when he bumped the manual fire mechanism, causing the round to discharge and strike his finger.



■ ***Soldier suffered fatal injuries after being pinned between an M88A1 recovery vehicle and an M1A2 tank. The truck's driver had finished maintenance and was backing up the vehicle when the deceased Soldier walked between the truck's rear and the tank. The deceased Soldier died at the scene.***

Marks the Spot

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